vss

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.5642 OF 2007

Manohar Mangal Paradhi & Ors. ... Petitioners

V/s.

Ulhasnagar Krishi Utpadan Bazar Samiti & Anr. ... Respondents

Mr.S.N. Deshpande for Petitioners
Mr.S.P. Kadam for Respondent No.1

CORAM: **SMT.NISHITA MHATRE, J.**

DATED: **AUGUST 6, 2007**

P.C.:

. The petition challenges the order of the Industrial Court in Revision Application Nos.129 and 130 of 2006. This common order was passed by the Industrial Court against the order passed by the Labour Court in Complaint (ULP) Nos.108 and 114 of 2006. The Labour Court had passed the order on an interim application filed in both those complaints. The Labour Court directed the respondents by way of interim relief to allow the complainants i.e., the petitioners herein, to report for duty during the pendency of the complaint or to pay 90% of the wages to the petitioners. The Industrial Court has set aside the order of the Labour Court. However, while doing so, the Industrial Court has decided all the issues on questions of law as well thereby perhaps shutting out the petitioners in the

complaint.

2. Therefore, in the interest of justice, the order of the Industrial Court is set aside. The petitioners shall not insist on the implementation of the order of the Labour Court upto 4.12.2006. The Complaint to proceed before the Labour Court.

3. Petition is disposed of accordingly.